

**CITY OF  
PORTLAND**

**2013 Federal Legislative Agenda**



# City of Portland Council

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# Federal Priorities



# Federal Priorities

## Portland Harbor Superfund, and Brownfields

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The City of Portland supports brownfield and Superfund site clean up and redevelopment to reduce urban sprawl, increase the supply of land for economic development, and to bring land back into productive use. In addition, the City supports natural resource restoration and cleanup actions that protect human and environmental health in the Portland Harbor. The City supports the passage of Congressman Blumenauer's (OR) efforts to pass the Superfund Reinvestment Act, which would reinstate the financing of the Superfund Program.

The City also seeks to reduce regulatory uncertainty and complexity on brownfield and Superfund sites by clarifying and limiting the liability of new owners, developers, or tenants at multi-site Superfund projects, such as Portland Harbor. The City supports a collaborative and cooperative approach to the environmental investigations and clean up processes in order for vacant industrial sites to be primed for immediate development.

## Public Safety, Mental Health, and Gun Violence Prevention

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Public safety is a fundamental priority for the City of Portland and gun violence poses a serious threat to the security of our community. The City supports legislation to mandate background checks for all gun sales, ban the sale of assault weapons and high-capacity clips, and supports stronger tools to prosecute against the sale of guns to people who, by law, are barred from their possession.

The City recognizes that adequate funding for mental health is essential to our public safety system. The City supports robust federal funding for the Substance Abuse Prevention and Treatment Block Grant (SABG) and the Community Mental Health Services Block Grant through the Substance Abuse and Mental Health Services Administration (SAMHSA). The City also supports federal funding for mobile mental health crisis intervention teams.

Programs funded by the Department of Justice play an important part in retaining and training officers. The City supports full authorized funding for:

- COPS Universal Hiring Program, to provide salaries and benefits of newly hired officers engaged in community policing;
- COPS Technology Program, to establish and enhance a variety of technical equipment and/or programs to encourage the continuation and advancement of community policing efforts within your jurisdiction and;
- Byrne Justice Assistance Grant, which provides funding to allow states and local governments to support a broad range of programs to prevent illegal drug activities, control violent crime and improve the criminal justice system.

# Federal Priorities

## Affordable Housing Funding

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The City continues to advocate maintaining current funding levels for:

- Community Development Block Grant (CDBG), flexible resources which allow communities to address a wide range of unique community development and affordable housing needs;
- HOME Investment Partnerships Program (HOME), grants to implement local housing strategies designed to increase homeownership and affordable housing opportunities for low and very low-income Americans;
- Housing Opportunities for People with AIDS (HOPWA), funds which provide local communities, States, and nonprofit organizations support for projects that benefit low-income persons medically diagnosed with HIV/AIDS; and
- McKinney-Vento Homeless Assistance programs, which provide funding for a spectrum of services to homeless people, including the Continuum of Care Programs.

Cuts to these programs in past budgets have reduced the Portland Housing Bureau's ability to invest in meeting the community's housing needs. Cuts have meant less money for affordable rental housing preservation and development; home repair for seniors and people with disabilities; shelter; rent assistance; and homeowner counseling. The City will continue to advocate for current funding levels during sequestration negotiations and during the regular congressional budget and appropriations process.

## Emergency Preparedness

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The City will work with its congressional delegation, the State of Oregon, regional partners, and stakeholders to develop a pilot program to provide funding for residential seismic retrofits. The City asks that the Pre-Disaster Mitigation (PDM) Grants be funded at the full authorized level of \$200 million in FY2013, and Congress should reauthorize the program at minimum of FY2013 levels moving forward. The PDM grants, awarded through the Federal Emergency Management Agency (FEMA), provide funds to states, territories, native tribes, communities, and universities for mitigation planning and the implementation of those plans before a catastrophe occurs.

The City supports the protection of funding for the Urban Areas Security Initiative (UASI), and asks the program maintains its current structure and not become block granted. The UASI program addresses the planning, operational, equipment, training and exercise needs of high threat urban areas and assists in building capacity to prevent, protect against, respond to and recover from natural disasters as well as threats and acts of terrorism. The Portland UASI region covers the Portland metropolitan area, including Clark County, WA.

# Federal Priorities

## Transportation

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A safe, robust and well-maintained transportation system is essential to meet the City of Portland's livability and economic development goals. An important principle to meet these goals is providing affordable transportation options and investing in transit. The City recognizes the unique challenges facing the federal government in terms of addressing the funding of the Highway Trust Fund, and supports legislation like that proposed by Congressman Earl Blumenauer, which would direct the Department of Treasury to study other funding alternatives, including a Vehicle Miles Traveled (VMT) program, to highlight that the current system is only providing a dwindling source of revenue for our nation's transportation infrastructure.

The City also supports the research functions of the Department of Transportation to assist the implementation of Intelligent Transportation Systems, pedestrian safety technologies, new and longer-lasting roadway surface technologies, and to provide continued funding for University Transportation Centers. Increased levels of research can promote safety, increase freight mobility, and provide better strategies for maintaining our transportation investments.

Competitive discretionary funding programs, such as the Small Starts, Transportation Investment Generating Economic Recovery (TIGER), Congestion Mitigation and Air Quality (CMAQ) Improvement, and Region Trails programs have helped the City further develop a transportation system that aims to meet its livability and economic goals. The City supports continued funding of these programs, and similar competitive discretionary programs. The City supports the FTA's efforts to develop rules that allow for efficient and effective project delivery.

The City supports the following programs and initiatives:

- The Small Starts program was critical to building the Portland Streetcar Loop Project fostering development in the Central Business District. The New Starts program funded the Portland Milwaukie Light Rail project, building critical links in our transit system.
- The TIGER program was essential to unlock the development opportunities in the South Waterfront section of the Innovation Quadrant and to make way for streetcar and light rail development. TIGER also helped fund the Sellwood Bridge Replacement Project.
- The CMAQ program has aided the City and the region in providing more pedestrian access to transit services, and increase passenger rail service between Portland and Eugene, and aid in freight mobility.
- The Recreational Trails Program (RTP) should continue as a set-aside in the new Transportation Alternatives Program, and the City supports continued funding for the program.
- The High-Speed and Intercity Passenger Rail program has provided additional major investments in High-Speed and Intercity Passenger Rail projects throughout the country and in our region. The City supports the continued development of a high speed rail line from Vancouver B.C. to Eugene, Oregon.

# Federal Priorities

## Improve the Long Term 2 Enhanced Surface Water Treatment Rule (LT2)

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The City will work diligently with the Congressional delegation and the Environmental Protection Agency (EPA) to pursue relief from raw water treatment and storage requirements of the federal Long Term 2 Enhanced Surface Water Treatment Rule (LT2) for Portland's Drinking Water System. The City seeks assistance from the delegation in obtaining the same consideration from the federal EPA as New York City to evaluate alternative compliance options for the uncovered finished drinking water reservoir requirements of the rule, and to permanently improve the methodology of the rule which requires out-of-date methods that do not protect public health. First, the scientific basis of the rule should be improved to focus only on *Cryptosporidium* species that pose the highest known risk to human health. Second, any changes to laboratory methods to detect *Cryptosporidium* should ensure adequate flexibility to account for Portland's unique, seasonal sourcewater characteristics.



# **Federal Policy Positions & Funding Priorities**

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# Economic Development

## Export Initiatives

The City supports federal programs to assist in the implementation of The Greater Portland Export Plan. The Plan will support the region's vision for export growth to create and retain export related jobs, diversify export industries, increasing the number of companies exporting and the markets they access, and create a strong local export culture and a global reputation for Portland as a competitive trading region. The City supports increased funding to U.S. Export Assistance Centers and the Foreign Commercial Service which are critical to meet the demands generated by increased export activity. Further, the City supports specific federal assistance, such as the State Trade and Export Promotion Grant (STEP) program. This City also advocates for the availability of export financing at lower capital requirements, through the Export-Import Bank or the Small Business Administration, to provide resources necessary for small- to medium-sized businesses to seek foreign market opportunities.

## Local Economic Development Strategies

The City will explore partnerships with federal agencies, such as the Small Business Administration, to pursue opportunities to promote entrepreneurship and small business development. The City will pursue grant opportunities to support economic development in its Neighborhood Economic Development strategy and cluster strategy development and action plans. The City will also look for federal grant opportunities to further develop the Portland Seed Fund and other start-up/entrepreneurial initiatives. The City will continue to track the formulation of rules by the U.S. Securities and Exchange Commission regarding crowdfunding provisions of the JOBS Act

## Extension of the Production Tax Credit for Renewable Energy

The City continues to support tax credits for the investment in renewable energy technologies and production of renewable energy. The City encourages the passage of the American Renewable Energy Production Tax Credit Extension Act, which would extend the Production Tax Credit for certain wind, biomass, and other types of renewable energy production through 2016.

## Minority Entrepreneurship

The City supports continued funding for federal programs that support entrepreneurship within women, and minority populations. The City supports the efforts of the SBA through its minority Business Development Agency to foster the establishment and growth of minority-owned businesses in America, and the 8(a) Business Development Program help small, disadvantaged businesses compete in our economy and federal procurement market.

# Economic Development

## National Jobs Legislation

The City supports federal legislation aimed to create both near and long-term jobs. Direct municipal aid provides local governments the flexibility to generate economic growth and create employment opportunities. The City believes that such legislation should include traditional infrastructure funding for transportation and water priorities, as well as funding for social services and housing assistance to prevent families from losing their homes, and substantial investment in education to provide for an educated workforce.

## Economic Development Administration Programs and Funding

The City supports maintaining funding for the Economic Development Administration (EDA) in its goal to lead the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy.

The City supports maintaining funding for the Jobs and Innovation Accelerator Challenge grant program. The City was awarded a \$1 million grant in 2012 to fund the Portland Regional Clean Tech Advance Project. The Portland Development Commission has begun putting these funds to use through an electric vehicle supply chain study, a research and design partnership program between manufacturing firms and local universities, and a partnership with Oregon BEST for early stage commercialization grants for clean tech start ups.

The City supports maintaining funding for the Global Climate Change Mitigation Incentive Fund program, to support projects that foster economic competitiveness while enhancing environmental quality.

The City has established strong relationships with the EDA's local office, and has been able to raise the profile of the City's economic development strategies by working with officials from the EDA's Washington, DC headquarters.

## EB-5 Foreign Investment

The City encourages the Federal government to permanently authorize the EB-5 Regional Center program. The program aims to stimulate the economy through job creation and capital investment by foreign investors. In September 2012, the government passed a three year re-authorization of the program through September 2015. FY2012 is already a record breaking year of U.S. job creation and capital formation for the program, with trends indicating more growth in the years ahead. Twice as many investor applications have been approved in this fiscal year than all of the year before.

# Education

## Federal Education Funding

The City supports increased federal funding for education. As a strong public education system is at the heart of economic vitality and will fuel recovery, the City supports for strong funding for Title I – Grants to Local Educational Agencies, Individuals with Disabilities Education Act (IDEA) programming, School Improvement State Grants, Improving Teacher Quality State Grants, 21st Century Community Learning Centers, and Career & Technical Education State Grants.

## Head Start Funding

Head Start currently serves over a million children and their families annually in urban and rural areas in all 50 states. It is a national program that provides federal funding directly to local providers. This local control focus has allowed the program to place a heavy emphasis on local and parental involvement. The program is comprehensive in its approach, recognizing that a child will not be ready to learn unless that child's needs are met. To that end, the program directly involves the family in addressing those needs, linking them to health, nutrition, mental health, and other services. The Head Start program was last reauthorized in 2007. The program was funded at \$7.9 billion in FY 2012, an increase over FY2011 levels. It is expected that sequestration could cut approximately \$600 million which is estimated to eliminate about 80,000 slots for children under the program. The City of Portland supports the Head Start program and urges Congress to continue to fund it at FY 2012 levels.

## College Tuition

The City opposes cuts to federal college tuition assistance, and supports access to higher education to all those who wish to pursue it. Further, the City supports policies and regulations that ease the burden of student loan debt and provide for the ability for graduates to pay back their loans, does not cripple their credit, and allows them to find work.

## No Child Left Behind Waivers

The City supports the granting of waivers by the Department of Education to states under the most recent authorization of the Elementary and Secondary Education (ESEA) Act, the No Child Left Behind (NCLB) Act to give states and districts flexibility to design innovative strategies that harness local innovation and put every school on a path to success.

# Energy, Environment, & Water

## Climate Change

The City supports action by the Obama Administration and Congress to address the causes and impacts of climate change, and the enactment of policies to reduce the emissions of greenhouse gases. In 2009 the City of Portland and Multnomah County adopted a Climate Action Plan aimed at the reduction of carbon emissions by 80% in 2050 (compared to 1990 levels) through climate protection initiatives. The City supports action by the Federal Government to reduce emissions of harmful greenhouse gases, increase the production of energy through clean, renewable sources of energy, and a focus on energy efficiency in buildings, vehicles, and manufacturing. The City supports increased investment in mass transit as a means of reducing carbon emissions from vehicles. The City also encourages federal action to provide resources to prepare for climate impacts and meet the urgent need to invest in related infrastructure.

## Coal Development and Export

On September 19, 2012, the Portland City Council adopted a policy opposing coal trains traveling through the City of Portland until a comprehensive Environmental Impact Statement is completed. The City supports the development and review of a comprehensive Health Impact Assessment prior to approval of coal export permits by any state, regional or federal agency. The City asks that the Army Corps of Engineers, the Bureau of Land Management and other responsible federal agencies undertake to perform a programmatic, comprehensive and area-wide Environmental Impact Statement, studying the cumulative comprehensive impacts of increased coal production from federal lands, and the five proposed coal export terminals in Oregon and Washington, to allow for fully informed decisions before approving any coal export facility. In addition, the City supports the True Cost of Coal Act introduced by Representative Jim McDermott (WA). The bill would require rail companies to suppress coal dust by covering or spraying freight rail cars carrying coal. The bill also imposes a \$10 per ton tax on all extracted coal to support state and local efforts to address the adverse effects of transporting coal.

## Green Infrastructure

The City supports legislation, such as the Green Infrastructure for Clean Water Act, and initiatives by the Administration to create opportunities for further investment in green infrastructure. This includes inclusion of green infrastructure facilities into environmental and transportation planning regulations and guidance.

# Energy, Environment, & Water

## **Tar Sands – Keystone Pipeline**

The City of Portland adopted a Climate Action Plan in 2009 that aims to reduce local greenhouse gas emissions by 80% from 1990 levels by 2050. In light of the aims of the Plan, the City expresses deep concern for the increase in Canadian tar-sands exploration and refining. The process of strip mining and drilling for tar sands have created extreme environmental and social costs for the area, will increase tanker traffic, and result in greenhouse gas emissions from the production process that are three to five those from producing conventional oil.

## **Renewable Energy and Energy Efficiency Policies**

The City actively supports legislation and policies that provide incentives for energy efficiency, investment in renewable energy projects, as well as investments in fuel-efficient vehicles and electric vehicles.

## **Water Infrastructure Financing and Innovation Act**

The City supports Senator Jeff Merkley's (OR) proposed Water Infrastructure Financing and Innovation Act (WIFIA) to provide water and waste water utilities with an innovative financing tool to fund new infrastructure projects through low-cost federal loans.

## **Water Resources Development Act**

The City asks that Congress reauthorize the Water Resources Development Act, which authorizes Army Corps of Engineers projects important to flood protection and ecosystem restoration through the region.

# Energy, Environment, & Water

## Urban Agriculture and Access to Healthy Food

The City recognizes that community health is one of the best indicators of our City's success. Unfortunately, too many Portlanders experience poor health, hunger and malnutrition. The City supports hunger relief programs that have a proven track record, such as the Supplemental Nutrition Assistance Program (SNAP) and the Emergency Food Assistance Program (TEFAP).

We also support “upstream” approaches, such as expanding Electronic Benefits Transfer (EBT) transactions at farmers markets and piloting new Farm to School projects. The City will continue to support grassroots efforts by working collaboratively at the local level with efforts like the 1,000 Gardens Initiative and the Multnomah Food Initiative, and at the Federal level with advocacy for the Healthy Food Financing Initiative, the Local Farms, Food and Jobs Act and the Let's Move campaign.

The Farm Bill is likely to be reauthorized in 2013; we believe it represents an important opportunity to support innovation in urban agriculture, job creation, and improved production and access to fruits and vegetables.

## Chemical Security

The City rejects federal preemption of the authority of local entities in water treatment. The Portland Water Bureau seeks to ensure that drinking water utilities continue to retain the final authority to decide which chemicals and processes are used to disinfect drinking water. Drinking water treatment is a complex process, designed to address highly local factors such as particular contaminants, pathogens of concern, unique local water chemistry, and numerous other factors. Changing treatment practices or substituting chemicals can only be done after careful consideration of local factors. Changing drinking water treatment can involve serious risks, including risks to public health. Such risks may be greatly magnified if people not intimately familiar with those relevant local factors are empowered to mandate treatment processes or materials.

# Health Care

## Retaining the Affordable Care Act

The City supports the full implementation of the Affordable Care Act (ACA). When fully implemented, the ACA will help the city's partners, including organizations like Central City Concern, to provide access to comprehensive person-centered healthcare. This will specifically affect their ability to treat their patients, many of whom are homeless and living with multiple health conditions.

Oregon's Medicaid waiver and expansion under ACA will allow for the many social determinants of health to be addressed in new ways through Oregon's Coordinated Care Organizations. These services will support patients to secure and retain supported housing, manage their chronic health conditions and decrease utilization of high cost emergency services.

A significant number of Portland Fire & Rescue's (PF&R) emergency responses are related to calls for service related to medical issues. The ACA may help the currently-uninsured find easier access to medical attention prior to reaching an emergency or medical crisis. This will likely ease the number of calls for emergency service. Likewise, a significant number of Portland Police calls involve individuals who have alcohol, drug and mental health issues. The 2014 Medicaid expansion means that many of these individuals will be able to enroll in Medicaid and receive services that address substance abuse and mental health needs. Thus, the ACA may reduce the number of crises that require police attention as well.

Finally, evidence-based employment support programming will be made available to assist those living in poverty to secure and retain employment. Employment is a key social determinant of health, both for the community as a whole, and for individuals.

# Housing

## **Expand Protected Classes Under the Fair Housing Act**

The City supports legislation, such as the Housing Opportunities Made Equal (HOME) Act, seeking to amend the Fair Housing Act to include “sexual orientation, gender identity, marital status and source of income.” The City will advocate for the inclusion of source of income as it aligns with Oregon Fair Housing laws, the work of our Fair Housing Advocacy Committee, and work to reform the Section 8 program.

## **Sequestration**

If implemented, sequestration would have a significantly negative effect on the Portland Housing Bureau’s budget and the ability of the City to serve our community’s most vulnerable. A cut of approximately 8.2% to federally funded programs would result in a \$233,000 reduction in HOME, \$616,000 reduction in CDBG, and \$230,000 reduction in homelessness prevention program funding.

The City calls upon Congress and the Administration to act to stop sequestration cuts from being implemented.

## **HUD Race & Ethnicity Reporting Change**

For any activity funded by the Department of Housing and Urban Development (HUD), the Portland Housing Bureau (PHB) is required to report the race/ethnicity of the persons receiving assistance. This also applies to the annual Point-In-Time Homeless Count. HUD collects race/ethnicity data in a limited number of categories, resulting in high numbers of respondents reporting in the “Other” category. In order to gather more accurate and complete information, PHB collects race/ethnicity data in additional categories, allowing respondents to report as multi-racial and in other categories not currently collected by HUD.

In order to increase efficiency and coordination between the two agencies, the City will work with HUD to increase alignment between HUD’s race/ethnicity reporting categories and the PHB’s data collection efforts.

# Housing

## **Homeowner Refinance Program**

The City supports Senator Jeff Merkley's (OR) proposed national program that would use government bonds to fund mortgage refinance for homeowners who are "underwater" on their mortgages, allowing homeowners currently unable to refinance due to negative equity to refinance at 4%. Providing refinance options for Portland homeowners who are "underwater" would increase homeowner stability and reduce the number of homes entering default and foreclosure, which benefits the community at large. Senator Merkley's proposal would stabilize and improve the Portland housing market.

## **HUD Hearth Act and Emergency Solutions Grant and Continuum of Care Interim Rules**

The City, along with its housing partners, seeks regulatory changes to the interim rules for the Continuum of Care (CoC) and Emergency Solutions Grant (ESG) and HEARTH Act statute that would affect the City's ability to end homelessness. The City supports allowing non-profit partners, including organizations such as Human Solutions and JOIN, to administer CoC program rental assistance, as opposed to mandating that rental assistance must be administered by a state or local government agency or a housing authority. Additionally, the City supports the ability of local housing authorities to act as subrecipients of ESG funds.

## **Veterans Affairs Supportive Housing (VASH)**

The City supports maintaining funding for housing choice vouchers and Veterans Affairs Supportive Housing (VASH) vouchers. These resources flow through Home Forward but are a critical component in many of the Portland Housing Bureau's projects and in meeting the need for affordable housing in Portland.

# Immigration Reform

## Comprehensive Immigration Reform

The City of Portland supports the enactment of comprehensive immigration reform and the enactment of the Dream Act. Comprehensive immigration reform should provide a pathway to citizenship, as well as consider guest worker programs and a focus on visa programs to bolster the needs of the high-tech economy.

- A pathway should be open to those who already make their home in the United States, as well as those who are in the process of emigrating from other countries.
- Comprehensive reform should consider guest worker program that would provide for the needs of our agriculture economy, as well as increased numbers of visas to help bring skilled, high-tech workers to bolster the needs of the high-tech sector of our economy.
- Reform should also include investments in sensible border security enhancements that addresses the concerns of national security, but does not denigrate the environment.

# Parks

## **Revitalization and Funding for Community Parks**

Parks and recreational infrastructure help to create jobs and build communities in our nation's metropolitan areas. Investments help to enhance local economies, benefit public health and wellbeing, as well as provide for the protection of our natural resources.

The City supports legislation, such as the Community Parks Revitalization Act, that will commit funding toward the rehabilitation and construction of our nation's community parks, as well as funding for recreational programming. The funding mechanism for the legislation should no be structured to force competition within the Department of Housing and Urban Development for scarce resources.

# Public Safety

## Family Violence Prevention

The City supports the Family Violence Prevention and Services Act reauthorization. This provides the only federal funding source dedicated directly to domestic violence shelters and programs. The FVPSA expired in 2008 and the City supports its reauthorization. The City also advocates for funding at the full authorized amount for the programs under this Act.

## Victims of Crime Act

The Victims of Crime Act established the Crime Victims Fund to compensate victims of crime. Some of this funding supports transitional housing, emergency shelter and other services for victims of violence against women. The City of Portland urges Congress to fund these programs at the highest possible levels.

## NextGen 9-1-1

Changes in the public's use of technology - the growing market for both wireless and voice-over-internet protocol (VoIP) telephony - are contributing to greater expectations for connections than the existing 9-1-1 system can deliver. Impacts to the 911 system will potentially delay access to Portland Fire & Rescue (PF&R) emergency services. The City and PF&R supports efforts to modernize emergency communications. It is critical that 911 operators are able to quickly and accurately ascertain the exact location of an incident to ensure the proper resources are dispatched in a timely manner.

It is critical that emergency call centers have the ability to:

- Easily connect with a wide range of devices on the market;
- Identify the location of the call, and;
- Recognize the technology generating the call in order to route the call to the appropriate responder in a timely manner.

The ENHANCE 911 (E 9-1-1) Act of 2004 authorized the National Highway Traffic Safety Administration and the National Telecommunications and Information Administration to establish a national 9-1-1 Implementation Coordination Office to administer a grant program for Public Safety Answering Points.

The City supports the continued work of the 9-1-1 Implementation Coordination Office to administer grants, report on implementation progress, makes recommendations to Congress on E 9-1-1 needs, and administers new federal cost-share grants to state and local E 9-1-1 agencies for implementation and operations.

# Public Safety

## **Preservation of the individual UASI, MMRS, and EMPG Programs**

The City will continue to advocate for the preservation of the Urban Area Security Initiative, the Metropolitan Medical Response System, and the Emergency Management Performance Grant programs, and would advocate for them to remain individual programs and against these programs become administered through a block grant system.

Portland Fire & Rescue (PF&R) and the Portland region have seen significant training and equipment purchases through these programs. Because of this funding, local emergency responders are prepared to face a multitude of human-caused and natural disasters as a result. PF&R advocates for continued support of these programs to enable local emergency responders to continue to receive appropriate training and equipment to deal with these issues.

## **Violence Against Women Act**

The City supports a strengthened and fully funded Violence Against Women Act, and calls on the Oregon congressional delegation to support a reauthorization of the Act that strengthens protections for members of the LGBTQ community, immigrants, and Native American populations.

## **Human Trafficking Victim Assistance**

According to the FBI, more than 100,000 underage girls are estimated to be exploited for commercial sex in the US each year. The City supports the Domestic Minor Sex Trafficking Deterrence and Victims Support Act, authored by Senator Ron Wyden (OR) and John Cornyn (TX), to create a six state pilot program to help law enforcement crackdown on pimps and traffickers and create shelters, provide treatment, counseling and legal aid for the underage girls who are forced into sexual slavery.

# Revenue Authority

## **The Mainstreet Fairness Act and Marketplace Fairness Act**

The City supports both the Mainstreet Fairness Act, and the Marketplace Fairness Act. These pieces of legislation would grant states the authority to compel online and catalog retailers, no matter where they are located, to collect sales tax at the time of a transaction - exactly as local “brick and mortar” retailers are already required to do. Under both these bills, states are only granted this authority after they have simplified their sales tax laws.

The effect of these bills would allow for the collection of revenue that would otherwise be lost.

## **Protection of Local Revenue Authority**

The City opposes federal preemption of local authority or ability to collect revenue. Specifically, the City opposes the proposed Internet Travel Tax Fairness Act, which would create an economic and competitive disadvantage for “brick and mortar” hotels by creating preemption for the collection of local hotel/motel taxes booked through Online Travel Companies (OTCs).

Portland hotel occupancy taxes are based on the total retail rate paid by hotel occupants. OTCs such as Expedia and Orbitz purchase room rights at a discounted wholesale rate from hotels, then sell to the consumer at a higher retail rate, but only remit taxes on the wholesale rate. Brick and mortar hotels are required to remit taxes based on the full retail rate, putting them at a competitive disadvantage.

The OTC’s failure to pay their share of occupancy taxes over the last ten years has cost the City’s general fund \$5 million to \$8 million and results in an annual loss of at least \$500,000. Cities nationwide are losing an estimated \$1 billion a year in revenue.

## **Oppose the Internet Tax Freedom Act**

The City opposes the extension of the Internet Tax Freedom Act. This law preempts federal, state and local taxes on the internet services (since it came into effect in 1998 – taxes in place prior to 1998 are grandfathered). This Act would prevent the ability for municipalities to raise needed revenues.

# Revenue Authority

## **Oppose the Digital Goods & Services Act**

The City opposes the passage and enactment of the Digital Goods & Services Act. The Act would sharply restrict, and in many cases, preempt, the ability of state and local governments to tax “digital goods and services.” Examples include downloaded music and video, online photo storage, payroll processing and computer programs. In essence, the bill creates a nationwide “tax preference” for online goods and services over competing brick-and-mortar sales.

## **Oppose Wireless Tax Fairness Act**

The City opposes legislative initiatives to preempt state or local taxing authority on wireless service providers and their property. Adoption of such legislation would prevent the city’s ability to bring fairness and equity to our existing phone tax system.

## **Changes to the Tax-exempt Status of Municipal Bonds**

The City would be opposed to legislation that would change the tax-exempt status of municipal bonds. Loss or reduction of tax-exempt status would increase the City’s cost of borrowing and negatively impact the City’s ability to fund capital projects via bond issuance.

# Telecommunications

## **Telecommunications Act Reauthorization**

City affirms the important role of local government in encouraging competition among telecommunications and video providers, managing the public rights of way, implementing local zoning policies, providing local customer service enforcement, enforcing build-out requirements and ensuring vibrant community media. Furthermore the City supports preserving the option of municipal provision of broadband communications services and opposes any effort to pre-empt local government from franchising video providers who use the public rights of way, paying franchise fees, and providing support for PEG access and Institutional Networks.

## **Oppose Preemption of Zoning**

The City opposes any attempt by the Federal Communications Commission or Congress to preempt state or local zoning, zoning procedures, and review deadlines for communication facilities.

## **FCC Study on Health Effects of Cell Tower Siting**

The City requests that the Federal Communications Commission work in cooperation with the US Food and Drug Administration and other relevant federal agencies to revisit and update studies on potential health concerns arising from radio frequency wireless emissions in light of the national proliferation of wireless use.

## **Community Access Protection (CAP) Act**

The City calls on Congress to enact the Community Access Preservation (CAP) Act. The CAP Act eliminates unnecessary limits on the use of PEG funds; creates a technology neutral definition of a cable system; bars discriminatory treatment of PEG channels and preserves, or in some cases, reinstates PEG support and localism.

# Telecommunications

## **National Broadband Plan**

Congress should reject any legislative or Federal Communications Commission initiative to preempt, or otherwise limit, Portland's ability to manage its rights-of-way, including the ability to demand a fair rental payment for the use of same.

The FCC, through the issuance of an April 2011 Notice of Inquiry (NOI) will assert jurisdiction over state and local rights of way, and such an action is inconsistent with the FCC's National Broadband Plan and the limitations on the agency's statutory authority, and Congress should make clear to the Commission that it must respect these statutory limitations. Local governments need to retain the authority given them by the states to manage and obtain compensation for the use of their rights-of-way.

The City supports the efforts of the FCC's National Broadband Plan where it assists the City in the implementation of its local plan. The City has developed an approach that is inclusive to local and regional broadband planning, involving the wireline and wireless industry, local businesses, educational institutions, public safety, transportation and healthcare. Portland supports local government's authority to provide municipal broadband and opposes any effort to restrict municipal broadband.

## **Net Neutrality**

The City supports net neutrality and will oppose efforts that prevent the right of everyone to use Internet data without regard to content, destination or source.

## **First Responder Network Authority**

In 2012, Congress created the First Responder Network Authority (FirstNet), to be the framework to implement a much-needed nationwide interoperable broadband network to help police, firefighters, emergency medical service professionals and other public safety officials stay safe and do their jobs. FirstNet will hold the spectrum license for the network, and is charged with taking "all actions necessary" to build, deploy, and operate the network, in consultation with Federal, State, tribal and local public safety entities, and other key stakeholders.

The City supports FirstNet, and advocates that local public infrastructure is utilized wherever possible, and that municipalities are intimately involved, in every stage of the planning and deployment of FirstNet, to ensure optimal performance of the nation's first top-down, interoperable public safety network.

# Timber Payments

## Resolution to Local Budget Concerns

The City supports a resolution to the fiscal crises that rural counties across Oregon face. The City supports a resolution that meets the budget needs of the counties and their citizens, while preserving the values all Oregonians care about.

# US Postal Service

## **Post Office and Postal Facility Closures**

The City opposes the reductions of services as a way to address the budgetary issues facing the US Postal Service. This includes the closure of post offices and postal facilities around the state of Oregon.

# Workforce

## Workforce Investment Act

The City supports the reauthorization of the Workforce Investment Act that addresses the needs of a diversity of jobseekers—including individuals with low literacy skills and limited English proficiency, dislocated workers transitioning to new occupations or industries, and young people seeking to enter the labor market—while responding quickly and effectively to the skill requirements of employers in a 21st century economy. The City supports a WIA reauthorization that:

- Significantly strengthens focus on attainment of postsecondary degrees, certificates, and other industry recognized credentials;
- Supports existing career pathways strategies which align adult education, job training, and higher education programs to allow participants to obtain progressive educational or occupational credentials even as they continue to work;
- Maintains and improves public workforce infrastructure to ensure access to programs and services that address the distinct and specific needs of different worker populations and industries.

## Long-Term Employed, Low-Skilled, and Youth Training

The City supports the Formula Workforce Investment Act which provides important resources for the City's workforce training and development programs. The City encourages the Federal government to continue to fully fund these programs. Additionally, the City supports continued funding of workforce development programs run by the Department of Health and Human Services and the Department of Education.

## Paid Sick Leave

There is currently no federal law that requires companies to provide paid sick leave, although workers at companies with 50 or more employees can get 12 weeks of unpaid leave under the federal Family and Medical Leave Act. The Healthy Families Act, introduced into the House of Representatives, would set a “national standard” for paid sick days. It would require employers who employ 15 or more employees for each working day during 20 or more workweeks a year to permit each employee to earn at least one hour of paid sick time for every 30 hours worked. It further allows employees to use the time to meet their own medical needs, care for the medical needs of certain family members or seek medical attention or take legal action relating to domestic violence, sexual assault or stalking. The City of Portland supports changes to federal law to require companies to provide paid sick leave.